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09/113,751 07/10/98 LAWRENCE S 11379

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PAUL J ESATTO JR  
SCULLY SCOTT MURPHY & PRESSER  
400 GARDEN CITY PLAZA  
GARDEN CITY NY 11530

EXAMINER

COLBERT, E

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 04/12/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/113,751

Applicant(s)

LAWRENCE ET AL.

Examiner

Ella Colbert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-29 and 46-57 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 and 46-57 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 18) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_.

***Response to Correspondence***

1. Applicant's response to the Restriction/Election of 05 February 2001 has been entered as paper number 6. The Applicant elected claims 1-29 and 46-57 in this communication.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 16-20, 46-50, and 52-57 are rejected under 35 U.S.C. 102(b) as being anticipated by Redfern (US 6,078,914).

With respect to claim 1, forwarding a query to third party search engines is shown in col. 2, lines 2-8,

parsing the responses from the third party search engines in order to extract information regarding the documents matching the query is shown in col. 1, lines 33-46 and col. 2, lines 17-44,

downloading the full text of the documents matching the query is shown in col. 4, lines 9-21 and figure 1,

locating query terms in the documents and extracting text surrounding the query terms is shown in col. 3, lines 10-16, and

displaying the text surrounding the query terms is shown in col. 3, lines 39-45 and col. 4, lines 21-28.

With respect to claim 2, this dependent claim is rejected for the similar rationale given for claim 1.

With respect to claim 3, filtering the context strings in order to improve readability by removing redundant whitespace, repeated characters, HTML comments and tags, and special characters is shown in col. 4, lines 35-67, col. 11, lines 55-67, and col. 13, lines 15-22. These claim limitations are well known in the art as editing a search string.

With respect to claim 4, identifying and filtering pages which no longer contain the query terms is shown in col. 3, lines 21-36.

With respect to claim 5, clustering the documents based on analysis of the full text of each document and identification of co-occurring phrases and words, and conjunctions is shown in col. 9, lines 44-65, col. 33, lines 14-65, and Appendix J.

With respect to claim 6, storing the documents matching a query so a query can be repeated and only showing documents which are new or have been modified since the last query or a given time is shown in col. 1, lines 33-45 and col. 10, lines 39-45.

With respect to claim 16, this independent claim is rejected for the similar rationale given for claim 1.

With respect to claim 17, this dependent claim is rejected for the similar rationale given for claim 2.

With respect to claim 18, this dependent claim is rejected for the similar rationale given for claim 3.

With respect to claim 19, this dependent claim is rejected for the similar rationale given for claim 4.

With respect to claim 20, this dependent claim is rejected for the similar rationale given for claim 5.

With respect to claim 46, this dependent claim is rejected for the similar rationale given for claim 1.

With respect to claim 47, this dependent claim is rejected for the similar rationale given for claim 2.

With respect to claim 48, this dependent claim is rejected for the similar rationale given for claim 3.

With respect to claim 49, this dependent claim is rejected for the similar rationale given for claim 4.

With respect to claim 50, this dependent claim is rejected for the similar rationale given for claim 5.

With respect to claim 52, this dependent claim is rejected for the similar rationale given for claim 1.

With respect to claim 53, this dependent claim is rejected for the similar rationale given for claim 2.

With respect to claim 54, this dependent claim is rejected for the similar rationale given for claim 3.

With respect to claim 55, this dependent claim is rejected for the similar rationale given for claim 4.

With respect to claim 56, this dependent claim is rejected for the similar rationale given for claim 5.

With respect to independent claim 57 this claim is rejected for the rationale given for claim 6.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7-15 and 21-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Redfern (US 6,078,914).

With respect to claim 7, Redfern did not explicitly teach, filtering the actual documents when viewed in full order to (a) highlight the query terms and (b) insert quick jump links so the user can quickly jump to the query term of interest, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to filter the documents when viewed to highlight the query terms and insert the jump links because once the documents are filtered the user can enter keywords and click on a link to a document and the keyword or keywords will be highlighted and the user can jump links to move back and forth from link to link to documents of interest. By using a jump link, this is a more efficient method of navigating from document to document and link to link.

With respect to claim 8, Redfern did not explicitly teach, creating and using a database of meta-information regarding query terms, storing a list of movie titles, recognizing when the user enters a query containing a movie title, and taking special

action such as referring the user to the review of the movie at a specific movie review site, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to create and use a database of meta-information regarding query terms such as storing a list of movie titles, recognizing when a user enters a query term containing a movie title and taking a special action because a database is merely a collection of data stored on a computer storage medium such as a disk, that can be used for more than one purpose whether it is movie titles for searching the database or other information (meta-information (data information)).

With respect to claim 9, storing and using information regarding the particular documents requested by a user in response to a query, remembering the most commonly requested document for a given query and presenting this document first in response to the same query in the future is shown in col. 1, lines 21-45.

With respect to claim 10, analyzing the number of documents found as a function of the number of third party search engines queried, and computing the estimated size of the document base which the third party search engines index is shown in col. 11, 55-67 and col. 16, lines 6-27.

With respect to claim 11, this dependent claim is rejected for the similar rationale given for claim 6.

With respect to claim 12, this dependent claim is reject for the similar rationale given for claim 3.

With respect to claim 13, Redfern did not explicitly teach, caching the full documents in order to improve access speed, but it would have been obvious to one

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having ordinary skill in the art at the time the invention was made to cache the full documents to improve access speed because it is well known by skilled artisans that cache is a place where data can be stored to avoid having to read the data from a slower device such as a disk. Microprocessors have an internal instruction cache for program instructions that are being read in from RAM; an external cache is also used, consisting of RAM chips that are faster than those used in a computer's memory.

With respect to claim 14, this dependent claim is rejected for the similar rationale given for claim 3.

With respect to claim 15, using a proximity based ranking scheme to re-rank documents according to the number of proximity between query terms is shown in col. 3, lines 3-16.

With respect to dependent claim 21 this claim is rejected for the rationale given for claim 6.

With respect to dependent claim 22 this claim is rejected for the rationale given for claim 7.

With respect to dependent claim 23 this claim is rejected for the rationale given for claim 8.

With respect to dependent claim 24 this claim is rejected for the rationale given for claim 9.

With respect to dependent claim 25 this claim is rejected for the rationale given for claim 11.



With respect to dependent claim 26 this claim is rejected for the rationale given for claim 12.

With respect to dependent claim 27 this claim is rejected for the rationale given for claim 13.

With respect to dependent claim 28 this claim is rejected for the rationale given for claim 14.

With respect to dependent claim 29 this claim is rejected for the rationale given for claim 15.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rodkin et al (US 6,092,074) teaches document filtering, a database of listed words and phrases related to business, sports, travel, books, compact discs, movie reviews, etc.

Rubinstein et al (US 5,913,215) teaches keywords found in more than one web page are displayed in a different color (highlighted) (see col. 16, lines 54-58) and a plurality of search engines.

Gross et al (US 6,044,385) teaches Hypertext topics are linked to allow users to jump from one subject to other related subjects (see col. 1, lines 56-58).

Bowen et al (US 6,094,649) teaches keyword searches, hot links, search engines, and indexing documents.

Woods (US 6,101,491) teaches querying, indexing, and webcrawlers.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 703-308-7064. The examiner can normally be reached on **Monday-Thursday from 6:30 am -5:00 pm est.**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 703-305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-9051 for regular communications and 703-308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-96000.

*E. Colbert*  
E. Colbert  
April 7, 2001

*Hosain T. Alam*  
HOSAIN T. ALAM  
PRIMARY EXAMINER